

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.
19-00343-01-CR-W-HFS

JOVELL L. SWOPES,

Defendant.

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

PENDING CHARGES: Count One: Distribution of Marijuana, in violation of 21 U.S.C.
 §§ 841(a)(1) and (b)(1)(D)
 Count Two: Possession of a Firearm in Furtherance of Drug
 Trafficking, in violation of 18 U.S.C. §924(c)(1)(A)
 Count Three: Felon in Possession of a Firearm, in violation of 18
 U.S.C. §§ 922(g)(1) and 924(a)(2)

TRIAL COUNSEL:

Government: Kenneth Borgnino & David Barnes
Case Agent: KCPD Detective Donald Stanze
Defense: F.A. White, Jr. (Blade Moore may provide support)

OUTSTANDING MOTIONS: None

ANTICIPATED MOTIONS: Defense counsel may file a motion dealing with Rule 404(b)
 propensity evidence

TRIAL WITNESSES:

Government: 5-6 with stipulations; 10 without stipulations
Defense: 2 witnesses; Defendant who may testify

TRIAL EXHIBITS:

Government: 35 exhibits
Defense: 0 exhibits

DEFENSES:

(x) defense of general denial
() defenses of general denial and _____

POSSIBLE DISPOSITION:

- (x) Definitely for trial () Possibly for trial
() Motion to continue to be filed () Likely a plea will be worked out

TRIAL TIME: 1 ½ days

Government's case including jury selection: 1 day

Defense case: ½ day

STIPULATIONS:

- (x) not likely
() not appropriate
() likely as to:
 () chain of custody
 () chemist's reports
 () prior felony conviction
 () interstate nexus of firearm
 () other:

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit Lists:

Government: November 24, 2021

Defense: November 24, 2021

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: November 24, 2021

Jury instructions must comply with Local Rule 51.1

Motions in Limine: November 24, 2021

TRIAL SETTING: Criminal jury trial docket commencing December 6, 2021

Please note: *Government counsel has a conflict the morning of Friday, December 10, 2021, which would require a late start. The Government requests a setting on the second week of the docket.*

OTHER:

- () A _____-speaking interpreter is required.
- () Other assistive devices: _____

IT IS SO ORDERED.

/s/ Jill A. Morris
JILL A. MORRIS
United States Magistrate Judge